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To: Examiner Christopher S. Kim, Art Unit 3752  
 Of: U.S. Patent and Trademark Office  
 From: Rosenbaum & Associates, P.C.  
 Client/Matter: 6030-021  
 Date: Thursday, April 14, 2005

DOCUMENTS	NUMBER OF PAGES*
Transmittal document	1
Request for Continuing Examination (RCE)	1
Amendment Transmittal (1 page in duplicate)	2
Amendment and Response to Office Action	13
TOTAL	17

COMMENTS: In Re: U.S. Serial No. 09/358,280  
 Applicant: Steve Utter  
 Attorney Docket No. 6030-021

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PAGE 1/17 \* RCVD AT 4/14/2005 11:34:42 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:8477706006 \* DURATION (mm:ss):05:12

PTO/SB/30 (08-08)

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<i>RECEIVED</i>	U.S. PATENT AND TRADEMARK OFFICE
Application Number	09/358,280
Filing Date	7/21/99
First Named Inventor	Steven M. Utter
Art Unit	3752
Examiner Name	Christopher S. Kim
Attorney Docket Number	6030-021

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO ) on page 2.

**1. Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such

- a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - ii.  Other \_\_\_\_\_

b.  Enclosed

- i.  Amendment/Reply
- iii.  Information Disclosure Statement (IDS)
- ii.  Affidavit(s)/Declaration(s)
- iv.  Other \_\_\_\_\_

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

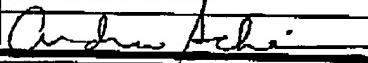
- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 18-2000

- i.  RCE fee required under 37 CFR 1.17(e)
- ii.  Extension of time fee (37 CFR 1.136 and 1.17)
- iii.  Other \_\_\_\_\_

- b.  Check in the amount of \$ \_\_\_\_\_ enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

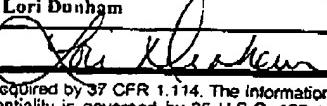
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)	Andrew O. Scheinman	Registration No. (Attorney / Agent)	50,730
Signature		Date	April 14, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

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Name (Print / Type)	Lori Dunham	Date	April 14, 2005
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including time you require to complete this form and/or suggestions for reducing the burden. Should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

<b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>					
Applicant(s): Steven M. Utter				Docket No. 6030-021	
Application No. 09/358,280	Filing Date 7/21/99	Examiner Christopher S. Kim	Customer No. 29,335	Group Art Unit 3752	Confirmation No.
Invention: PORTABLE MIST COOLING SYSTEM					
<b>COMMISSIONER FOR PATENTS:</b>					
Transmitted herewith is an amendment in the above-identified application.					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	7 -	20 =	0	x \$9.00	\$0.00
INDEP. CLAIMS	3 -	4 =	0	x \$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 18-2000 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>					
 <i>Signature</i> Andrew O. Scheinman (Reg. No. 50,730) ROSENBAUM & ASSOCIATES, P.C. 650 Dundee Road Suite #380 Northbrook, Illinois 60062 (847) 770-6000 Telephone (847) 770-6006 Facsimile			Dated: April 14, 2005 <i>Certificate of Facsimile</i> <div style="border: 1px solid black; padding: 5px;">           I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on April 14, 2005 to (703) 872-9306  <small>(Date)</small> </div> <div style="text-align: right; margin-top: 10px;">   <i>Lori Dunham</i>  <i>Signature of Person Mailing Correspondence</i>          Lori Dunham  <i>Typed or Printed Name of Person Mailing Correspondence</i> </div>		
CC:					

**AMENDMENT TRANSMITTAL LETTER (Small Entity)**

Applicant(s): Steven M. Utter

Docket No.  
6030-021

Application No. 09/358,280	Filing Date 7/21/99	Examiner Christpher S. Kim	Customer No. 29,335	Group Art Unit 3752	Confirmation No.
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Invention: PORTABLE MIST COOLING SYSTEM

**COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

- Applicant claims small entity status. See 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	7 -	20 =	0	x \$9.00	\$0.00
INDEP. CLAIMS	3 -	4 =	0	x \$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- No additional fee is required for amendment.  
 Please charge Deposit Account No. in the amount of  
 A check in the amount of to cover the filing fee is enclosed.  
 The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 18-2000  
 Any additional filing fees required under 37 C.F.R. 1.16.  
 Any patent application processing fees under 37 CFR 1.17.  
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Andrew Scheinman  
Signature

Andrew O. Scheinman (Reg. No. 50,730)  
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Dated: April 14, 2005

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(Date)

Lori Dugham  
Signature of Person Mailing Correspondence

Lori Dugham

Typed or Printed Name of Person Mailing Correspondence